

1 **UNITED STATES DISTRICT COURT**
2 **DISTRICT OF NEVADA**

3 ALYSSA BALL,

4 JOHN PRIGNANO,

5 and

6 JANE ROE,

7 Plaintiffs,

8 v.

9 SKILLZ INC.,

10 Defendant.
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Case No. 2:20-cv-888 -JAD-BNW

12 **DECLARATION OF JANE ROE**

13 1. I am the individual identified as Jane Roe in the above-reference lawsuit, I am
14 over the age of eighteen, and I am competent to testify to the matters set forth herein.

15 2. Skillz Inc. (the “Defendant” or “Skillz”) operates various iPhone apps.

16 3. One of the Defendant’s hallmark games is 21 Blitz, a smartphone app that very
17 closely resembles the game of blackjack.

18 4. In a game of 21 Blitz, a full deck of cards is exposed one card at a time, in a
19 putatively random order, with the user then being tasked with placing each card, upon it
20 becoming exposed, in one of four columns.
21

22 5. The objective of 21 Blitz is to arrange the cards so that those in each column add
23 up to 21; once the cards in a given column add up to 21, the column is “cleared” and becomes
24 available for the placement of new cards.
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1 6. If a player in 21 Blitz places cards in a column such that their cumulative value
2 exceeds 21, the game declares the player has “busted” and the subject column clears; if a player
3 busts three times before clearing the entire deck, the game ends; otherwise, the game ends when
4 all 52 cards have been distributed.

5 7. 21 Blitz also offers two alternative methods of clearing a column.

6 8. The first alternative method is whereby a column clears if a player amasses five
7 cards in that column without exceeding the sum of 21.
8

9 9. The second alternative method is whereby the placement of the jack of spades or
10 the jack of clubs will automatically clear a column without regard to the sum of cards contained
11 therein.

12 10. A player’s score in 21 Blitz is computed based on (i) the number of cards the
13 player was able to clear; (ii) the number of stacks the player was able to clear; (iii) the amount
14 of time under three (3) minutes the player took to complete the game; and (iv) some
15 combination of other factors.
16

17 11. Whichever of the two (2) players in a given contest of 21 Blitz has a higher score
18 is awarded the monies wagered by both players, less the Defendant’s rake.

19 12. The Defendant’s “rake” in games of 21 Blitz typically equals Sixteen and Two
20 Thirds Percent (16.67%) of the monies wagered by both players.

21 13. The Defendant runs various internet and app-based video advertisements for its
22 products (including games aside from 21 Blitz that are also operated by the Defendant and
23 promoted under its logo), with many such advertisements being on platforms catering to a
24 targeted audience of frugal individuals.
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1 14. Specifically, the Defendant has run advertisements on The Penny Hoarder, a
2 website featuring content aiding individuals in saving money and maximizing economic
3 efficiencies.

4 15. I first encountered the Defendant through its advertisements on The Penny
5 Hoarder, with such advertisements promoting the Defendant's products as an opportunity to
6 make additional income through the use of smart phone apps.

7 16. One such advertisement promoted Skillz as a vehicle housewives could use to
8 pay for the carpeting of their home, through minimal efforts in their spare time.

9 17. I had not previously ever engaged in any substantial gambling activity.

10 18. Not realizing the Defendant to be a gambling entity, I downloaded one of the
11 Defendant's apps and began uploading money in hopes of making money, as advertised.
12

13 19. Playing the Defendant's games, I lost my life's savings and went into debt, trying
14 to make money on the Defendant's apps.

15 20. I then borrowed money from my mother and stepfather to continue in my quest
16 to make money on the Defendant's apps, becoming a compulsive gambler somewhere in the
17 process of playing these games.
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19 21. I ultimately lost approximately \$60,000 on the Defendant's apps.

20 22. Through the process of losing money and gambling compulsively, I became
21 depressed, dependent, and suicidal.
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23 23. I sought help through Gamblers Anonymous and private therapy.

24 24. I am still receiving treatment for my depression and my addiction as of present.
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1 25. I continue to feel embarrassed about what has happened, and continues to
2 confront varying emotional issues related to my play of games – and loss of money – on the
3 Defendant’s apps.

4 26. The Defendant’s pervasive online and app-based advertisements are still seen by
5 me.

6 27. I encounter these advertisements on social media, on websites, and in apps.

7 28. Every time I see one such advertisement, it serves to “retrigger” me to some
8 degree; to whatever extent my mind may be free of what the Defendant has done to me,
9 encountering an advertisement of the Defendant’s brings my mind back to what I have gone
10 through and the harms it has inflicted upon my life.

11 29. Further declarant sayeth naught.

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14 Pursuant to Section 1746 of Title 28 of the United
15 States Code, I declare under penalty of perjury that
16 the foregoing is true and correct,

17 DocuSigned by:

18 Redacted

19 65833E98A1D549F

20 Redacted

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DECLARATION OF JANE ROE - 4